



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on November 4, 2008

Date of Meeting: June 17, 2008

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:39 p.m., on Tuesday, June 17, 2008, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

Regina Romero	Council Member Ward 1
Karin Uhlich	Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Steve Leal	Council Member Ward 5
Nina J. Trasoff	Vice Mayor, Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused:

Rodney Glassman	Council Member Ward 2
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Staff Members Present:

Mike Hein	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk
Mike Letcher	Deputy City Manager

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Christopher Peña, Tucson Fire Department, Fire Station 20, after which the Pledge of Allegiance was led by the entire assembly.

Presentations:

- a. Council Member Romero joined Mayor Walkup to proclaim June 24, 2008, to be “El Día De San Juan Festival Day.”

Roger W. Randolph, City Clerk, announced Susie Rogers would be assisting with anyone in the audience needing Spanish language translation for items listed on the agenda.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager’s communication number 304, dated June 17, 2008, was received into and made a part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

- a. Vice Mayor Trasoff reported on her recent attendance at the art exhibit which was displayed June 2 to June 6, 2008, in the Rotunda of the Russell Senate Office Building in Washington, D.C. The exhibit, which was previously displayed in the Ward 6 Council Office, was created by students in the English Second Language (ESL) Program at Catalina Magnet High School and consisted of photographs and essays about immigration that was made into a book.

Vice Mayor Trasoff also reported on her recent attendance at the *Mars Discovery Space Shuttle* launch as a guest of Congresswoman Gabrielle Giffords, whose husband was the commander of the shuttle.

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager’s communication number 305, dated June 17, 2008, was received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

No report was given.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 306, dated June 17, 2008, was received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

b. Liquor License Applications

Person Transfer(s)

1. Beverage Depot, Ward 6
4231 E. 22nd St., #141
Applicant: Alice Giang
Series 9, City 34-08
Action must be taken by: June 26, 2008
Staff has indicated the applicant is in compliance with city requirements.
2. Driftwood, Ward 4
2001 S. Craycroft Rd.
Applicant: Gerard Liam Coffey
Series 6, City 35-08
Action must be taken by: June 27, 2008
Staff has indicated the applicant is in compliance with city requirements.

c. Special Event(s)

NOTE: There are no special events scheduled for this meeting.

d. Agent Change/Acquisition of Control

NOTE: There are no agent changes scheduled for this meeting.

It was moved by Vice Mayor Trasoff, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Glassman absent/excused), to forward liquor license applications 5b1 and 5b2 to the Arizona State Liquor Board with a recommendation for approval.

6. CALL TO THE AUDIENCE

Mayor Walkup announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for items scheduled for a public hearing. Speakers were limited to three-minute presentations.

- a. Randy Ford spoke about the cultural assets that made Tucson unique and the brief history of *El Ojito Springs* in Tucson. Mr. Ford stated that there was property for sale at a reasonable price and suggested the City purchase the land to commemorate *El Ojito Springs*.

- b. Larry Lopez, President of the Tucson Police Officers Association (TPOA), spoke regarding the adoption of a tentative three year contract as well as an audit on the Rio Nuevo Project. Officer Lopez also thanked the community on behalf of TPOA for supporting the fund for the family of fallen officer Eric Hite.
- c. Roger Tamiette, Tucson Fire Department (TFD), spoke regarding the tough times the City was going through. He stated that the TFD was looking forward to getting back on track and that it was hanging in there.
- d. Linda Hatfield, Communication Workers of America/Tucson Association of City Employees (CWA/TACE) Local 7000, stated the members understood the economics of 2008, and hoped in the future Mayor and Council would remember that the Union was understanding and the Union members would soon be ratifying their contract.
- e. Alan Lee, American Federation of State, County, and Municipal Employees (AFSCMI) Local 449, stated the Mayor and Council, City Manager's Office, and AFSCMI were on common ground. He spoke of shared sacrifice from city employees and said he hoped when the economy improves that the Mayor and Council would recognize and reward the hard working City employees.
- f. Tracy Williams spoke regarding maintaining a healthy community and environment. She also spoke on education being a key component in the gray water issue.
- g. Michael Toney spoke about the outside audit of Rio Nuevo and the Davis-Monthan Air Force Base Alternative Energy Solutions Task Force

7. CONSENT AGENDA – ITEMS A THROUGH A THROUGH H

Mayor Walkup announced the reports and recommendations from the City Manager on the Consent Agenda were received into and made a part of the record. He asked the City Clerk to read the Consent Agenda.

- A. FINAL PLAT: (S07-186) MONTE VISTA CONDOMINIUMS, UNITS 1 TO 7 AND COMMON ELEMENTS "A" AND "B" AND LIMITED COMMON ELEMENT "A"
 - 1. Report from City Manager JUNE17-08-309 WARD 3
 - 2. Staff recommends that the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

- B. FINAL PLAT: (S07-126) ALBERTSON'S AT 6600 E. GRANT ROAD, PROPOSED SUBDIVISION OF A PARCEL INTO LOTS 1 AND 2
1. Report from City Manager JUNE17-08-310 WARD 2
 2. Staff recommends that the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- C. BUILDINGS AND CONSTRUCTION: ADOPTION OF A RESIDENTIAL SOLAR READINESS ORDINANCE
1. Report from City Manager JUNE17-08-311 CITY-WIDE
 2. Ordinance No. 10549 relating to buildings and construction: requiring new single family and duplex residential dwelling units to provide for future installation of solar energy devices; adopting applicable building codes and regulations, with local amendments adding requirements related to solar energy; and declaring an emergency.
- D. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE INCARCERATION OF CITY PRISONERS
1. Report from City Manager JUNE17-08-314 CITY-WIDE
 2. Resolution No. 20981 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the incarceration of City Prisoners for FY 2009; and declaring an emergency.
- E. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH LOCAL JURISDICTIONS FOR THE ESTABLISHMENT OF A CENTRALIZED BAIL BOND ACCEPTANCE SERVICE
1. Report from City Manager JUNE17-08-312 CITY-WIDE
 2. Resolution No. 20982 relating to Intergovernmental Agreements; approving and authorizing the execution of Amendment No. One to the Intergovernmental Agreement between the City of Tucson, Pima County, Town of Oro Valley, Town of Marana, City of South Tucson, Town of Sahuarita, Ajo Justice Court and Green Valley Justice Court for the establishment of a centralized bail bond acceptance service; and declaring an emergency.

F. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR NINETEEN APPROVED HAWK PEDESTRIAN CROSSING SIGNALS

1. Report from City Manager JUNE17-08-313 CITY-WIDE
2. Resolution No. 20983 relating to Intergovernmental Agreements; approving and authorizing an Intergovernmental Agreement between the City of Tucson and the Regional Transportation Authority of Pima County (RTA) for the design and construction of Nineteen HAWK Pedestrian Crossing Signals; and declaring an emergency.

G. APPROVAL OF MINUTES

1. Report from City Manager JUNE17-08-316 CITY-WIDE
2. Approval of minutes for the regular meeting of the Mayor and Council held on April 22, 2008.

H. AGREEMENT: SECOND RENEWAL WITH THE DOWNTOWN TUCSON PARTNERSHIP BUSINESS IMPROVEMENT DISTRICT FOR ENHANCED SERVICES

1. Report from City Manager JUNE17-08-317 CITY-WIDE
2. Resolution No. 20985 relating to the Downtown Tucson Enhanced Services Agreement; authorizing and approving the renewal of the Downtown Tucson Enhanced Services Agreement Number two between the Downtown Tucson Partnership Business Improvement District and the City of Tucson; and declaring an emergency.

It was moved by Council Member Romero, duly seconded, that Consent Agenda Items A through H, be passed and adopted and the proper action taken.

Mayor Walkup asked if there were any discussions. Hearing none he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Uhlich, Scott, and Leal;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent: Council Member Glassman

Consent Agenda Items A through H, were declared passed and adopted by a roll call vote of 6 to 0.

8. PUBLIC HEARING: PROPOSED SUN TRAN AND VAN TRAN FARE INCREASE

Mayor Walkup announced City Manager's communication number 319, dated June 17, 2008, was received into and made a part of the record. He also announced this was the time and place legally advertised for a public hearing on the proposed Sun Tran and Van Tran Fare Increase. Mayor Walkup said the public hearing was scheduled to last no more than one hour and speakers were limited to five-minute presentations. Mayor Walkup stated there were an abundance of cards, and names would be called in the order in which they were received.

Reverend Servent Bishop Chicago stated he loved his Tucson and his Tucson loved him. He said people like playing agency against agency. The Tucson Police Department (TPD) and all of Tucson needed to pay attention to Tucson school teachers and its schools. Instead of giving away to every other agency, playing one agency against another, its school teachers needed more money. Reverend Bishop Chicago said he and everyone loved Sun Tran bus drivers and he said he thought they were the best bus drivers in America, but the citizens of Tucson needed to ride the bus later at night and receive better service at the same time.

Reverend Servent Bishop Chicago stated that school teachers should receive the same pay as police officers and be treated with more respect throughout Tucson. Some of the things that were holding people down as a community were the University of Arizona, Pima Community College, Tucson High School, and a grade school was in the drug-free school zone. One block away was the Hippie Gypsy and Puff N' Stuff businesses. He stated the students and everyone in Tucson were stoned. Everyone knew that blunt wraps could be purchased at any Circle K convenience store in Tucson. The only use for blunt wraps was for the use of marijuana. A nickel bag of marijuana would fill a blunt wrap.

Reverend Servent Bishop Chicago asked that the deans of the colleges and schools pay attention to the community and give back to the community. There were Guadalupe, Casa Maria, and the Church Without Walls, which was a church of the community. He stated teachers and students needed to be better educated so they would not end up in jail. Within a drug-free school zone, there was a grade school, high school, and two colleges and nearby selling of speed pipes and crack pipes made the community drug dealers. He said the money that people used to buy blunt wraps, speed pipes, and crack pipes should be used to pay for Tucson teacher's salaries because they deserved to be paid more so children would be better educated and would not end up in jail. He repeated he loved his Tucson and his Tucson loved him

Reverend Servant Bishop Chicago concluded by saying that Tucson was a community that loved Sun Tran bus drivers. The bus drivers had the riders' lives in their

hands and they were the best drivers in the world. He stated that every agency in Tucson including the Fire Department was a team and stood for peace. Tucson had a lot of weird laws like drive-through liquor stores. He said all that money generated in the community should be used to pay Tucson teachers. The community he grew up in, South Central Chicago, one would have to travel out of the neighborhood at 91st and Halsted to get beer, drugs, and marijuana wraps and smuggle them in. He suggested everyone pay attention to their community.

Russ Sayers stated he received an award a year and a half ago from the Mayor for "Linkages", which was an organization that helped handicapped people get to work. If the Mayor and Council raised the price of Sun Tran and Van Tran riding fares, he would not have the money to ride the bus and get to work. He was paying twenty dollars a week for a Sun Tran riding pass and thought that was too high. The fee went from eight dollars to twenty dollars for a weekly pass. He and his wife were both on disability and used Van Tran services. Mr. Sayers said it took one disability check to pay their mortgage. He worked at the Marriott Hotel and with his earnings paid for his bus passes for him and his wife for Van Tran, which cost forty dollars a week. He said the Mayor and Council were supposed to help the disabled citizens, not drain them. He repeated he was on disability and asked Mayor and Council if they understood what disability meant. He said it meant they were handicapped, but he was not the type of person who would sit at home rocking in a chair. Mr. Sayers said he wanted to work until the day he died or until the Marriott Hotel would say he was too old to work. His opinion was that the Mayor and Council needed to draw the line because the fee increase was too high. Mayor and Council could do what they wanted but it was a serious issue.

Mr. Sayers said that if the rates went up he would not be able to work and he was speaking for everyone in the audience. He repeated he was speaking for everybody, not just himself. The buck stopped there. Mayor and Council were supposed to help disabled people, not drain them. He stated he worked five days a week, and the fare cost him twenty dollars per week. If he had to go to a doctor's appointment, the fare to go back and forth would cost extra. He asked why the fare could not be raised from ten to fifteen dollars. Other States had one set price of ten or twelve dollars. He apologized to Mayor and Council for being upset, but said he thought they understood what was trying to say.

Judy Leone, a Sun Tran employee for over thirty five years, said when she first started working, the full bus fare was twenty-five cents for the full fare and ten cents for the economy pass. In the past thirty-five years the bus fare had gone up seventy-five cents with the economy pass going up thirty cents, which was approximately two and one half cents per year. She felt bad for the poor people and physically challenged who could not afford it. Things had increased and the price of fuel had tripled for Sun Tran. One of her co-workers, Susan, had told her that she had a rider that lived on the far north side that took Sun Tran to the far southwest side at Camino de la Tierra. The riders had no objection to a twenty-five cent increase because they could not drive their cars for one dollar and twenty-five cents. Three to six dollars a day was a lot cheaper than driving a car.

Ms. Leone said she saw passengers board the buses with cigarettes, alcohol, and cell phones. The customers would have to give up something. Ms. Leone said she was a smoker but giving up cigarettes, alcohol, or cell phones if that was what it took to pay the extra dime or quarter to ride the bus, then so be it. Adult choices had to be made. She thanked the Mayor and Council.

Laura Spies said she had attended because of the fare increase and had been riding Sun Tran buses since August 1980. She had seen a lot of changes in the system and said she knew that the rate increases were hard for people. She hoped there were no bus cuts because she had relied on Route 26 all those years and there were a lot of people out there. She stated that if she had to, she would scrape up the extra money needed for increased fares. Ms. Spies asked Mayor and Council if they could find other ways to raise the money without cutting some of the buses, except those which were not frequently used, she would appreciate anything Mayor and Council could do.

Stephen Mitchell, a Sun Tran bus driver for twenty-four years, stated at no time had a fare increase paid his wages or paid for the mechanics' wages. The fare box had always been used to pay for insurance and fuel costs. He repeated "always." Right now Sun Tran's fuel expenses were extremely high, and he said he understood why everyone was upset. Mr. Mitchell said his work changed every day because he was on the PM Extra Board, but last week he drove Route 3 and a man he had known for fourteen years boarded his bus. This man's wife had passed away a little over a year ago. He supported two children with two jobs. He had to park his car. What the passenger wanted to know was why was his fare going up but there were a lot of "anti" against the economy fare. It seemed to him that everybody who rode the bus system should pay his or her fair share, even if it was a dime. The fares needed to go up.

Mr. Mitchell said the fare for the passenger he was just referring to would increase by twenty-five cents because he made too much money to qualify for the economy fare. Mr. Mitchell said he felt it was not right. If someone rode the bus they should pay their part of the expenses. That was the way it was. He wished there was a bus that ran after midnight so he could get home without driving his truck. He put twelve gallons of gas in his truck last week and it cost him fifty-five dollars. He said he was sorry and understood Sun Tran needed more service, but in order to have that service they needed to have the fuel. If there was no fuel, there would not be service. Mr. Mitchell said if it was a dime, the passengers needed to dig into their pockets and find it. He said if it was a quarter, to dig in and find it. Most of the passengers at that time were already paying the increase because they believed it was already in place. They had no objections to paying. The people that were in the gray area above the economy limit was where they would find the difference. If Mayor and Council decided not to increase the economy fare by a dime and added it to the full fare to make it one dollar and thirty-five cents, some of the passengers would have to stop riding the buses because they could not afford to work. It was just that way. They could not afford the economy fare and they could not afford the extra dime but would try to afford the extra quarter. He thanked the Mayor and Council.

Charles Allen said he came to the meeting to discuss the fare increase for Sun Tran and Van Tran. Whether the Mayor and Council knew it or not, there was an effective way to work this problem out. He said there was a company in America called *Fuel Freedom International* that would guarantee seven to fourteen percent savings on fuel costs. He asked if the City of Tucson would cut their fuel costs by ten percent, what would the City do with that money, and could the money be given to some of the people who were paying five and six dollars a gallon. Right now people were paying four dollars a gallon and he said the community needed to get prepared to pay twelve dollars a gallon. At twelve dollars a gallon, Tucson would not exist. There was not anyone here that could afford that. He said he would leave the information concerning *Fuel Freedom International* for the Council because Tucson was about to go under.

Dan Shinkel said he was just outside the City limits. He said his focus had changed. He did not represent anybody but he had a lot of ideas for his fellow bus passengers. They told him if he had the guts to get up and talk and told him what they would like him to ask. He said he rode the express route, where fares would be doubled. At first he and his fellow passengers were upset about the fare increase but now they felt it was not so bad. Some of the riders were above the economy line and the express route was the only bus that went to their area. There was a lady Mr. Shinkel rode with that could not fix her car due to money problems and now to get to work her fare would be doubling. He was going to send her to Sun Tran to address her issue. There were other passengers that rode both the express route and a regular route and wondered if they would have to purchase two different fares and he would address that with the appropriate people.

Mr. Shinkel said Sun Tran had stated they would be raising the fares on the express route due to Sun Tran purchasing coach style buses with WiFi and high back seats. He said the riders were not interested in the coach style buses, just have Sun Tran keep the buses on time, keep them well maintained with no breakdowns, air conditioning working, clean seats, and bus drivers that knew their routes. Those were things that Sun Tran did well. The passengers loved Sun Tran and riding was an enjoyable experience. Mr. Shinkel said the extra cash spent on the coach buses, which would use more fuel, should be put toward the regular buses. The passengers just wanted to get to work. Regarding shifting the burden, the passengers could handle it because they would do their part. Everyone had to help.

Kevin Faulkner worked for Sun Tran for nine years and had seen many changes. During that time he had seen a minor fare increase to the day pass. He wanted to support the increase knowing the price of fuel and all of the things they put up with everyday with different people. One of the biggest things he talked with passengers about was fares and many support the increase. One man he spoke with on a daily basis asked why he was raising the bus fare. Mr. Faulkner responded that it was due to the price of fuel. The man stated that it was about time. There were a lot of drivers and passengers that supported the fare increase.

Jeff Cardella said he had worked for Sun Tran for thirty-one years and like all transportation companies Sun Tran was faced with spiraling costs. In order to keep the system running and growing those costs needed to be addressed and all that utilized the system must share in the costs. For those that could not afford the increase in the economy fare, Mr. Cardella stated there were over one hundred and fifty non-profit organizations that gave out economy two ride day passes. Those agencies handed out on average twenty-five thousand two ride passes each month.

Mr. Cardella concluded that as a resident of Ward 5, a taxpayer, and a Sun Tran employee he urged Mayor and Council to represent constituents of all economic levels equally. He thought it was only fair to pay a little more for the increased cost to keep Sun Tran growing and running and he said he supported the increase proposed by the City Department of Transportation.

Jay Trapp said he was a coach operator for Sun Tran. One of Sun Tran's goals was to reduce their carbon footprint and help the environment. They did this every day. Mayor and Council should realize that when Sun Tran increases the number of passengers, fuel costs also increased and it was much more costly to operate. Mr. Trapp asked if anyone realized that raising the fare by a dime or a quarter was a great deal compared to driving his or her car. He thought one could not fill a motorcycle for the proposed price increase of thirty-five dollars for a monthly pass. He supported the increased fare and thought it was reasonable.

Eric Pavri said he rode the Route 9 every day to work. Most of the people he rode with were low income and many were seniors living on a fixed income. They all realized the pressures on the City and Sun Tran to balance their budget to keep enough revenue coming in and to keep Sun Tran running well. He urged the Mayor and Council to look for alternative ways to fund the system rather than increasing fares. An increase in fares would place a disproportionate burden on the lower income people of the community. He was concerned when reading the Agenda that the juror pass would be eliminated. Mr. Pavri said he worked at the federal public defender's office during the summer. He thought the City should do everything it could to encourage public participation in the court and democratic system. He stated that he had a car but chose to ride Sun Tran. He thought that was the responsible thing to do. The construction on Interstate 10 and traffic congestion was bad and the City should do everything possible to encourage the use of public transportation and decrease traffic congestion not increase it.

Mr. Pavri said he saw a lot of Sun Tran workers in the audience. He had never had a bad experience at all with a Sun Tran employee. He found them to be unerringly competent, professional, and very good at what they do. He did not blame the drivers, mechanics, or maintenance, or ground people. He thought they did an excellent job serving the City. If the Mayor and Council wanted to serve the City, the people and the poor working class who had to take their children to day care and who kept the City working and running, they should not place the burden of increasing the fares. He asked the Mayor and Council to reject the fare increase and encourage public transportation not discourage it.

Patricia Denault said she has been a coach operator for Sun Tran for eighteen years. She knew first hand what the drivers went through every day. More and more people were riding the Sun Tran system, unfortunately during peak times causes drivers to leave passengers at the bus stops because there was no room on the bus. She understood the fares currently only covered twenty percent of Sun Tran's operating costs. It did not surprise Sun Tran that most of the passengers paid the economy fare or board the bus with a two ride pass. It could not be thought that having more people ride the bus would cover the increased cost of the system especially if the economy rate stayed the same. She thought the City should be consistent and have everyone who rode the bus help with the increased costs.

Linda Drew said she came to Tucson in 1967 and was a bus rider out of necessity at that time and continued to be a bus rider. When she could afford it she would pay the fare and ride the bus. She then started purchasing monthly passes, quarterly passes, and for the last several years annual passes, which she thought was the best deal going. She had a huge amount of respect for Sun Tran. The drivers did a wonderful job and she had never had a bad experience. She had been lost in the City and the drivers had managed to get her home. They did a great job. The money taken in by Sun Tran was not paying for that service but there had to be another way.

Ms. Drew rode the bus regularly and most of the people she rode with were low income and elderly people or people that did not have a lot of expendable cash and still needed to ride the bus. If they did not have Sun Tran they did not have another option. She hoped the Mayor and Council would take the opportunity to support mass transit. She thought mass transit's time had come, it was the way to go and what the City needed to do. Riding the bus was a great way to build community. One gets to know a lot of people. She was opposed to the fare increase and thought the prices should stay the same. Ms. Drew wanted to encourage bus ridership and maybe the City needed to think outside the box and think of other ways to cover costs. The City had "Friends of the Library," maybe they needed "Friends of Sun Tran and Van Tran." There are people who can afford riding the bus. She said she would be willing to double her fare for a year to help others who were less fortunate that needed Sun Tran and Van Tran.

Robert Sheinaus said he could personally afford the bus fare increase and was neither for nor against it. He realized that many people would have problems because of the fare increase. He also wanted to acknowledge the fine job Sun Tran and Van Tran drivers did. He always found them to be friendly and helpful to people who were lost and confused. Often the drivers went over and above what their jobs entailed, and they did it under less than ideal circumstances.

Mr. Sheinaus said he was speaking regarding cuts in service, which he opposed. He was a rider that took his bike with him and since each bus could accommodate only two bikes it was a limited feature of Sun Tran service. He had seen an increase in bike riders using Sun Tran over the past months. He said he took the Number 9 out to Sabino Canyon road often and he had seen the bike rack full with many riders needing to wait for another half hour for the next bus. He had noticed that one of the routes that had been

cited for cutting was the Number 5, which was his alternate route. If the Number 9 bike rack was full he could bike down to the Number 5 on Pima Road and take that to Sabino Canyon Road and had done that many times. He pointed out that if the Number 5 route was cut, he would still have the uncertainty of getting a full bike rack and get on one bus a half-hour earlier. At that point he needed to weigh his options and ride his bike to his destination and Sun Tran would lose him as a rider.

Mr. Sheinaus had noticed the disproportionate increase in the day pass and express routes and thought it was a little odd. He thought that if a fare increase was necessary it should be proportionate across the board. He did not understand why the increases were disproportionate and asked the City to look more closely at that. In conclusion, Mr. Sheinaus said the comments about other funding sources, not just pending the health of the Sun Tran budget solely on the fees the riders pay and looking at other options, thinking outside the box as others had stated, was highly recommended. Anything Mayor and Council could do in those areas would be appreciated.

Robert Ortiz said a couple of years ago the City of Tucson would have the garbage picked up twice a week. That was a service everyone needed. Sun Tran was one of those services and he and a lot of people depended on it but he did not use Sun Tran solely because he owned a car and was paying the price for fuel as everyone was. In the same context the City of Tucson was also paying the increase in fuel for their vehicles so someone needed to pick up the fare increase. He thought it was equal and fair. He was not saying it because he was a Sun Tran employee, but he also used the system. The price of food was rising as everyone was saying, but also corn was going up. He did not think if food prices were going up meant people would stop eating. People find an alternative. Mr. Ortiz said that another person who had spoken earlier stated there were many organizations around the City that were willing to help or offer help with bus fares. He encouraged anyone needing assistance to call the Sun Tran customer information center. He thought they would be able to assist the public. He did not guarantee this service and did not know if they could do it or not but there were different organizations to help.

John Kromko said he was not a Sun Tran employee. He recognized that the City was having trouble balancing their budget like other branches of government. He had been at the previous Mayor and Council meetings to oppose the water rate increase and property tax increase. He had seen what the City was doing. Since the City could not balance their budget, they were assuming the public could and the City had to stop assuming that. It was more difficult for the public than it was for the City. Mr. Kromko stated that his cat had cut back on the price of her food and so had he. The City had many more options than the public and less painful options.

Mr. Kromko said that people spoke about fuel cost going up so everyone should bring money into the City and that was not true. The Tucson Police and Fire Departments did not bring any money into the City. The Department of Transportation did not bring money into the city. There was no reason why the buses should pay their way. It was a service the City should provide. He said everyone needed to cut back, too.

He had looked at the City's pay structure and there were an enormous number of people that were paid more in comparison with other cities. For example, and not to pick on him, the Police Chief retired and was hired back at a position that was not going to be filled. Now he would be taking home three hundred and twenty thousand dollars a year and would be getting more when he received his social security next year. The City would be ding the public for a quarter when the Assistant City Manager would be taking home three hundred and twenty thousand dollars a year. The City had to ask those people who had benefited enormously from the City to give something back. He suggested the City talk to everyone making more than one hundred thousand dollars or eighty thousand a year to take a little cut. Previous City Councils had sinned, this would be a good time to let those people pay back for what they had received.

Mr. Kromko said a second item he noticed was the City's payroll overtime. It was horrendously gross in the amount of overtime the City was paying. He realized that sometime overtime was needed but the numbers were huge. If the City cut back on overtime they could hire more police officers and manage the budget a little better. He wished the Mayor and Council luck and said he knew it was hard for them and hoped they did the right thing.

Barbara Franco said she was a driver for Sun Tran for eight years and she was also a Tucson resident. She stated she was in favor of the fare increase. From what she had seen and heard driving everyday was most of her passengers had already accepted the fare increase. The passengers were putting in an extra fifty cents or one dollar and twenty-five cent and they go sit down. Everyone on the bus understood the affects the rising fuel costs were being paid by Sun Tran. She thought it was reasonable to ask for a modest fare increase.

Julian Babad said he was a bus rider who rode occasionally when it was convenient and when it was not convenient he would not ride the bus. Sun Tran was very important to him and was delighted to have Sun Tran there and the quality was there. He said he was flabbergasted at the fares Sun Tran charged. He thought they were not expensive but cheap and the fares had not kept up with the current situations. He came to the Mayor and Council meeting by bus. It was about ten miles one way, twenty miles round trip. His alternative mode was to take his Ford Focus, which gave him twenty to twenty-two miles per gallon. One gallon equaled about four dollars per round trip and it cost him one dollar to ride the bus, which made it one quarter of the cost and he had not tacked on the variable cost, which were not small either. He did not figure it out on the basis of money. It was more convenient to ride the bus or else he would have had to look for a parking space downtown and did not know if he could have found one that was absolutely free.

Mr. Babad said he was astounded at people that wanted something for nothing. That did not exist. The Mayor and Council and the people of Tucson should know they were not empowered to manufacture money or they would find themselves in prison. The bottom line was service was number one; do not cut service. Comments were raised before that service could be improved so people would not have to be standing on the

curb with his or her bicycle waiting for another bus. He could commiserate with them. Fares were secondary and the City should lean over backwards but not break their back for those who could not afford the fares. He was delighted to hear some of the comments made about the courtesies and confidence of Sun Tran drivers which he fully agreed with. Mr. Babad had never had a nasty bus driver.

In conclusion, Mr. Babad said no one had mentioned the twenty-five percent rate increase across the board. After eight years that would be three percent each year. He urged everyone to keep their cool and as someone earlier had mentioned, there were organizations that could help people with fares if they were in dire straights and he wished them well.

Anton Russell thanked the public for supporting and listening to the issue of Sun Tran fares. The figures had been presented, the evidence had been examined and the case was now in front of the Mayor and Council at the mercy of their decision. He offered one inclination; Sun Tran answered the call in emergencies that required moving a mass amount of people with the minimum cost and minimum notice. When the United States joined hands to help host Tucson with the victims of Hurricane Katrina, Tucson responded by opening up the Tucson Convention Center (TCC) and invited in the people. Sun Tran brought the people to the TCC. When there were extreme temperatures such as in the winter and shelters were full, the community took the opportunity to reach out to those people and presented a place for them to stay. It was done in large numbers and Sun Tran took them there. When the community planned special events to show people with ailing disabilities or ailing diseases that there was no cure for, there was outreach and walks, Sun Tran was there.

Mr. Russell said that Mr. Sayers spoke earlier about working at the Marriott, working long hard hours, harder than Mr. Russell worked. Because of the effort he had put toward his shift, Sun Tran was there for him. The City of Tucson and everyone was stretching themselves to absorb the growing community; everyone was affected. Sun Tran's proposal for a fare increase came at a time when the cost of living in every facet was at a record high and he was mindful and sensitive to it and experiencing the same rise. As a result, the request was a modest increase not a raise, it was an adjustment that allowed Sun Tran to continue to impact change concerning motivating the Tucson community. There was a perceived value to everything purchased. He wondered what kind of message was sent when the City underpriced their investment in public transportation. Economy passengers took a ride across town for forty cents, which was less than a postage stamp or a can of soda. Sun Tran drove people to school, jobs, to visit friends, and to medical appointments. Sun Tran took congestion off the roads and helped the environment, and reduce dependency upon foreign oil. There was a cost and a value to providing those services. Mr. Russell did not think that keeping fares at the same level helped people understand the value Sun Tran provided. It did not help to offset the rising cost of Sun Tran's system. That was why Mr. Russell supported the fare increase presented by the Department of Transportation.

Christina Moodie said she was a proud retired teamster and she was against raising fares at that time. It was exactly the wrong time to raise the cost of riding Sun Tran. She wondered why some teamsters were supporting the fare increase. Sun Tran had been reported as saying, in addition to the fuel costs, "that rising labor costs were to blame." Those words had been quoted from the newspaper and that was a real fear. Teamsters knew that management would try to put the burden, come contract time, on the teamsters' backs. She asked the Mayor and Council not to place it on the backs of the workers. She asked that they not balance the budget on the backs of the workers and not threaten their wages and health insurance. She asked the Mayor and council not to cut back on Sun Tran service and not to place it on the backs of the working poor.

Ms. Moodie was not talking about the people that would always be able to get free passes, the bums, they would still get their passes. It was the working people, mothers and fathers and all people who had loyally over the years taken the bus. They were the ones who would pay the rate increase. She asked about the newly poor that had recently lost their home or their job and were now starting to use and trust the bus service. With a ten cent increase on their economy fare or twenty-five cents on the full fare; bus drivers knew how small increments added up as in ten seconds late there and twenty-five seconds at another stop, and before they knew it, they were thirty minutes late at the end of the line. It was the same thing with money. She stated that it was a bad situation at that time.

Ms. Moodie said the fare increase would eventually have to happen and she was sure that the reason fuel prices were so high at that time was because people were speculating on the market. Just like when the housing market went boom, the fuel prices would crash. She said to give it some time and let it happen. People would never pay as cheap as they use to pay for fuel prices. Fuel prices would eventually crash and it would not be as bad as it was currently. To raise fares at that time would be counterproductive. Ridership had steadily gone up on Sun Tran for the past several years. Sun Tran passenger count needed to keep rising. She asked the Mayor and Council to require all City employees to ride the bus and to reduce management jobs to a bare minimum. She told the Mayor and Council to be creative. She asked Mayor and Council to not take it out on the teamsters when it came time to look at their contract and do not balance the budget on the backs of the working poor.

Sergio Avila said he knew some of the council members personally and found it interesting to hear they had not made up their mind about the Sun Tran fare increase. He remembered during the last campaign, at the kick off parties, rallies, and all the speeches saying they would help the people, the working force, seniors, and the disabled. He asked what had happened to those words. It would not work if the Mayor and Council raised the bus fares. The Mayor and Council had the chance to make a decision and commit to what was said when the council members were looking for the vote of the people.

Mr. Avila wanted to tell Sun Tran workers not to get the idea that opposing raising fares was about not supporting their work. It was about the Mayor and Council's decision to look for alternatives to raise money. Sun Tran workers should not take it that the citizens were opposed to what Sun Tran did. The citizens respected and appreciated what the employees of Sun Tran did.

Andy Marshall, Principal Officer of the Teamsters Local 104 for the State of Arizona representing the workers of Sun Tran, said the Mayor and Council were faced with a difficult choice. He wanted to talk about the practical economic reality of the situation. The fare increase had been proposed because there was a projected four million dollar shortfall in the Sun Tran budget over the next two years. Regardless of whether it was the fare increase that would take care of the shortfall or other creative ways to fund Sun Tran, he said it was the Mayor and Council's responsibility, as they were aware, to find that funding.

Mr. Marshall said everyone seemed to be caught up whether it was saying it was the drivers versus the labor contract versus the poor people. The Mayor and Council had to figure out a way to fund Sun Tran by looking to increase ridership at a time when it was perfect to do it. There were express buses going down the freeway that were overloaded and people standing up. Sun Tran can not expand service if there was no way to pay for it. One million-dollar fuel increase for this years was something the City had to deal with. Rather than getting into a situation with one group pitted against another, the practical economic reality was to find a way to fund the short fall in the Sun Tran budget.

Mr. Marshall said he had faith in compromise, something everyone was looking at in the new political reality where bipartisanship had to come into play and compromise to come up with a way to fund Sun Tran. He had an alternative suggestion that may not have been popular with some people but it was a way to do a number of things. The TICET shuttle downtown was running with empty buses, polluting the air, and was free to ride. It was subsidized, not with federal dollars, but dollars that could be taken away from TICET and given to Sun Tran to be used to run the routes that Sun Tran used to run before TICET was there.

Mr. Marshall was in favor of the fare increase in some way, shape or form. He thought addressing the Mayor and Council and saying there would not be a compromise would be unrealistic. He had talked to a few of the council members, some were opposed, some that supported the fare increase, and some in between in some fashion. There needed to be a compromise between the council members but in the end Sun Tran needed to be funded. Sun Tran was too important to the City, the employees he represented, and all the people that used it. He urged the Mayor and Council to explore all opportunities and was in favor of some sort of fare increase. Mr. Marshall asked the Mayor and Council to diligently look into the issue.

Randi Dorman, representing ParkWise as the Ward 6 appointee, said she wanted to speak specifically about TICET. TICET was started as a parking circulator in order to establish remote parking facilities for downtown employees and open up more customer parking in the core of downtown. Despite the perception that the buses were empty, they actually circulated one hundred forty five thousand riders per year and were already above that target so far this year. Each vehicle had made thirty-six round trips per day, which was a large number. TICET was one hundred percent funded by parking revenues. She wanted the Mayor and Council to bear that in mind. There was a cost sharing arrangement for the extended hours of the red line with the 4th Avenue underpass project. TICET also gave downtown a competitive transportation edge because it was specific to the downtown area. It did not duplicate the Sun Tran lines and was an additional service. Elimination of TICET would also mean the elimination of seventeen jobs. ParkWise contributed about eight hundred and fifty thousand dollars annually to the General Fund through revenue splits, parking citations, and rental sales tax as well as funding to court positions. Ms. Dorman knew the Mayor and Council had a difficult decision ahead and she asked them not to sacrifice the TICET line.

Jenny Neeley had lived in Tucson since 1996 and relied on Sun Tran for the first three years she lived here. She personally understood the importance of Sun Tran but from a larger perspective, Sun Tran was a service not a business. The bus was not suppose to pay its way, it was not designed to do that in the first place. Just like all public services they were there for the community not there to pay for themselves. She remembered a gentleman who spoke earlier saying, "You do not get something for nothing." Ms. Neeley said she could still walk into a library and get a book for nothing and the reason she could do it was because the library was a public service. The City would never start charging for library books. That would be disgusting to do that. She asked why the City was trying to balance the budget to fund Sun Tran by raising the fares. Fares should be kept the same and increase services to get more people to ride the bus, not discouraging people to ride the bus, which raising fares would do.

Ms. Neely said when it was said that you do not get something for nothing, she thought one had to be a developer in the City to get something for nothing. She had been an environmentalist in Tucson for the last ten years. She had quit her job and went back to school. She watched for the last ten years when the budget was great and money was flowing, and subsidies were handed out left and right to the development community. She said what the developers did was to drain the City budget on the back of the working poor. In conclusion she opposed the fare increase and hoped the Mayor and Council did as well.

Carolyn Campbell said she wanted to thank everyone for the broad discussion on the importance of the transit system. The talks were focused on the rate increase and wanted to continue to speak about how important transit was and what needed to be done. Ms. Campbell spoke as a Tucson resident who felt strongly about public transportation and its importance to the environment. The most important environmental initiatives the City could take on were getting people out of their cars. The best the community could do would be to become a highly functional multi-model community. The definition of a

livable community was having a strong public transit system. It would never be self-sustaining it would always need a huge public investment. She was disappointed at the beginning of the public hearing that the issue was that if the money needed was to come out of the General Fund or have fares increased. The last memo she had seen stated either an increase in fares was needed or a cut in service would be planned. She thought that was not a fair option.

Ms. Campbell said her perspective as a member of the Citizen Advisory Committee (CAC) for the Regional Transportation Authority (RTA) plan as well as the Transit Task Force (TTF) chair. The RTA put a lot of sweat and campaigned for this issue. The disappointment for a lot of her friends was that there were not enough transit options. The RTA talked about the needs of the current riders and she felt it was doing a good job of filling those needs with weekend and evening hours. Another point was attracting choice riders. The Committee had long meetings and discussions how best to accomplish that goal. All the issues were important including more bus shelters but the biggest thing to attract riders was increased frequency. The RTA money had not achieved that as yet. It was a big infusion of public dollars and she thought five hundred and thirty-three million dollars for increased service was a good show of faith by the voters wanting a better transit system. She wanted to see how that would affect people getting out of their cars and get on the transit system.

Ms. Campbell thought it was the wrong time to increase fares but she did not know if any time was the right time to increase fares. She stated that she saw a memo from Gary Hayes and she took issue with a couple of items and spoke to him about that. In the discussions about the RTA, there was always an assumption that there would be fare box revenue increases in the next two years. When she was the chair of the Transit Subcommittee of the TTF and CAC and they never spoke about it. There may have been an assumption on the part of some of the members. The Technical Subcommittee had a fare box revenue column that had an assumption of twenty to twenty-one percent fare box revenue recovery over the life of the plan. Ms. Campbell did not think there was ever an assumption. She would have liked to see the City finish off the commitment to have increased service expansion and enhancements through the RTA funding, especially the one that would bring choice riders. She asked the Mayor and Council not to increase the rates at that time, it would be going one step forward and two steps back. She wanted them to see if the City could have a transit system that worked and got closer to a livable community.

Jean Fedigan said she was opposed to the fare increase. She ran health care clinics and they served a lot of the working poor and disabled. If the bus fares were to increase for those people, who were barely able to exist, they would be forced to make choices. Some choices would be not being able to take a child to a doctor or being unable to go themselves. In down stream dollars that would be seen in the emergency rooms. Someone stated earlier that if the price of corn went up, the people would still buy corn but she believed they would not; they would go without. The City needed to understand the working poor and find ways to help them; they had no safety net and no where else to go. She encouraged the Mayor and Council to oppose the fare increase and

look for alternative ways to fund transportation. She believed in the transportation issues and thought it should be a service provided to the community and especially to those community members who were unable get transportation any other way. It was a huge about of money downstream if those services were cut off.

Mayor Walkup thanked everyone for their patience and good information presented to Mayor and Council. He said the public comments were nicely done with respect and he and the Council appreciated it.

It was moved by Council Member Uhlich, duly seconded, to close the public hearing.

The motion was passed to close the public hearing, by a voice vote of 6 to 0 (Council Member Glassman absent/excused).

Mayor Walkup asked if there was any discussion.

Council Member Uhlich said she wanted to open with a motion and offer a few brief comments and open the discussion to the Council. She first noted that some speakers noted in some sense the wrong questions were asked, "Do you want to increase fares or do you want to decrease service?" "Do you want to increase fares or do you want to be good by the good people of Sun Tran and the people who have had to work hard to provide such good service?"

Council Member Uhlich stated the Mayor and Council began with a fundamental question put before them. Somehow the Sun Tran budget was not balanced, the City was one million dollars short for 2009, and three million dollars short for 2010. Many of the council members' offices had been trying to figure out why that was. Ridership was increasing and the new vehicles ran with compressed natural gas. There were a lot of reasons why the City should be seeing increased efficiencies with more ridership and more revenue to offset the budget. Council Member Uhlich was disappointed that a corner was cut in the City's process. She thought the City Manager took it upon himself to reduce the General Fund subsidy to Sun Tran and Van Tran to try to balance an overarching budget. She thought the City had an issue with the overarching budget. She proposed that the Mayor and Council would be making the right decision this evening in terms of Sun Tran. Together they would be facing difficult decisions in the future and hoped the public would be with the City to try and help figure out those issues.

Council Member Uhlich said she wanted to offer a motion, which she believed was both fiscally responsible and also acknowledged the very important role the system played in the community.

It was moved by Council Member Uhlich, duly seconded, to direct staff to keep the current fare structure in place, to sustain all current services and routes, no cuts in service shall occur, sustain the Fiscal Year 2007 General Fund level of thirty-six million dollars in investment instead of reducing the allocation to thirty-four million five hundred thousand in Fiscal Year 2009 and thirty-three million dollars in Fiscal Year 2010 as

proposed by the City Manager's budget. Drawing from recommendations that Council Member Glassman offered, she wanted to recognize him in his absence because he had been working hard on the issue as well. She asked that the Mayor and Council offices work with the Department of Transportation (DOT) and form a Task Force and look at the system in the next six months. She wanted to make sure DOT would be tracking how the system was doing and how ridership levels were doing.

Council Member Uhlich said that was her motion. She wanted to note a couple points. The City was now running a regional system and some of the routes running outside the City limits were subsidized through other jurisdictions' general funds. She did not think it was appropriate for the City to decide on other jurisdictions' behalf. She wanted to make it clear that she believed the Mayor and Council should allow for requests from other jurisdictions if they felt they needed to make different decisions. Those decisions applied to all routes within the City limits that were funded through the City's General Fund.

Council Member Uhlich said part of why she was so confident was that the plan was fiscally responsible was that the options that were laid before them, reached a point where the Mayor and Council realized ridership might continue to grow to some modest extent. If they did not increase fares, they would not depress ridership and it would increase. If ridership increased five percent over the coming year, it would generate an additional one half million dollars, eighty-nine thousand dollars per percent per year. Council Member Uhlich wanted to make clear that the City worked hard and was trying to do the right thing. It was not increasing the General Fund subsidy but were holding it level and she thought it was the right thing to do.

Council Member Leal thanked Council Member Uhlich for setting perimeters and thanked the audience for attending the meeting. He thought it was important to reiterate that the Mayor and Council could not have an either/or to happen because it would be unfair to everyone. Labor should not be placed in a position of thinking, as Mr. Marshall and others had said earlier, "You are in the box unless this happens." They should not have been treated that way, and Mayor and Council see to it that they were not treated this way. Riders had been made assurances about extending of Sun Tran services. Carolyn Campbell legitimately pointed out that the Regional Transportation Authority (RTA) money that was to be set aside for extending Sun Tran services had not been implemented as yet. The City had not borne the fruit of that in ridership and that in turn would affect fare box recovery.

Council Member Leal said it disturbed him when good people did bad things. Ms. Campbell had mentioned that the beginning discussion was the City was raising rates or it was the General Fund and then it was changed to cutting routes. The City should not be tempted to use fear to make people accept a position of resignation to endure something that harms them. No one should reach for those mechanisms in the community with each other. It was, in a way, cheating and fighting dirty. People should not be treated that way. Some time ago the City had embraced tacitly a fare box recovery of twenty-five percent. There was a gulf that had increased over time between that and

what the fare box was increasing. In adding perspective to it, he believed and thought others believed that Sun Tran was a utility, an enterprise funded utility. Utilities were supposed to be managed in particular ways. When it was decided that the advertising revenues were to count toward the fare box side of the deal like it was by the past Councils, it turned out that it had never been done, so that created a bigger gulf in the fare box. When those monies were used for the shuttle, some of the shuttles paid for themselves. Other shuttles did not pay for themselves at all and were subsidized by Sun Tran riders.

Council Member Leal said express routes were a good thing. They were an economic development tool. The short falls in the subsidies necessary to make the express routes work should have been paid for by the General Fund not by creating a bigger gulf in the fare box recovery of Sun Tran. City employees were allowed to purchase Sun Tran passes for half price. He wanted to know who paid for the other half. He asked if it was from the General Fund or Sun Tran riders. The City could not use the Sun Tran budget as a slush fund for things the City wanted to do. Those issues needed to be weeded out over time and Sun Tran set up to run as a utility. The fare box short fall would have been smaller if the City had managed Sun Tran like that in the past. Riders and the quality of service should not be used to allow those kinds of contradictions to continue. Mr. Marshall had made a suggestion earlier about TICET and Council Member Leal thought it was a good idea. Ms. Dorman had offered some information he was not aware of. The City knew that riding TICET was free. It cost the City three dollars and forty-two cents subsidy per rider and was created for precisely the reason she had stated.

Council Member Leal stated ParkWise did contribute eighty thousand dollars to the General Fund but the General Fund would be subsidizing ParkWise one million four hundred thousand dollars for the parking garage the City was buying for them. ParkWise was supposed to be independent one year after it was created. He asked why was the City happy subsidizing ParkWise and willing to raise the Sun Tran riders rates. The difference should be backed out. People who rode TICET should start paying a fifty to seventy-five cents fare. Most riders were City or Pima County employees getting a ride to lunch. That should not matter more than taking care of working families in a time of crisis and recession. Everyone knew that fuel costs had made food costs increase by thirty-five percent. People's income was not changing. The City had a great conversation during the Study Session about sustainability. Everyone had trepidation and fear about the future. All were aware of the world and what everyone grew up with was changing under their feet in ways they were unsure of.

Council Member Leal said one thing everyone was sure of was we had to morph and transform Sun Tran into a lifeboat that worked for the whole community and break out of the mythology of the bus being for the working poor. It was about sustainability and part of what Council Member Uhlich said was not to cut off our nose to spite our face. We should not have the rate increase work against the community. The Mayor and Council believed the ridership would go up more than the numbers projected because of fuel costs and also what Ms. Campbell had said when the monies were spent to increase the routes hours, Sun Tran would get more riders. For the reasons stated and the good

research Council Member Uhlich's staff did, and with what happened with money being backed out of the General Fund support, Sun Tran rates should stay the same.

Council Member Leal said it had been said repeatedly that low-income bus passes could be purchased throughout the City. He found it disturbing that one of the places low-income Sun Tran passes could not be purchased was at the Laos and Ronstadt Transit Centers and that would change. Passes would be sold at the transit centers. Sun Tran and Van Tran oversight historically had been subsumed for good reason within the Citizen Transportation Advisory Committee which had a lot to think about. It appeared to Council Member Leal that the issue of Sun Tran and Van Tran, and alternate modes of transportation in the community was evolving in such a way that it probably deserved and needed its own citizens committee. He would be asking the Mayor and Council in a future agenda item to take a look at it because it was too important to be a stepchild in a large family like the Citizen Transportation Advisory Committee and the Council and the community should have that conversation.

Council Member Romero said she wanted to echo what Council Members Uhlich and Leal had said. Earlier at the Study Session there was an interesting conversation about sustainability and to talk and not give value to mass transit and what it did for the community was out of line. It was important to say mass transit was a service offered to the community and was subsidized because it was a service. It was a service that invested in hard working people that had to take the bus. There were a lot of choice riders but the majority of the ridership was the working class in the community. She found it horrible that the City would want to balance the budget on the backs of the working poor. It was not about balancing the budget. As researched by the staff of Council Member Uhlich and brought to the Council's attention, the Fiscal Year 2007 funding level was thirty-six million. In Fiscal Year 2009/2010, it would have gone down to thirty-four million five hundred thousand and in Fiscal Year 2010 it would have continued to go down to thirty-three million from the General Fund. That was the four million dollars the Mayor and Council had been told would go missing.

Council Member Romero said the Mayor and Council had to pay attention to what was going on around them. Council Member Uhlich had said they had a very difficult budget problem and issues, which had to be resolved. Ridership had been proven to go up and would continue to rise. The ridership would invest in the system by itself. It was important to note in terms of the RTA, Council was asked in 2004 to invest in transportation as individuals, as people that paid into the local economy. There were asked to invest in the RTA, and they did. The public taxed themselves one half cent so that Sun Tran could be expanded. Council Member Romero asked why would the City go back to the same working people that were paying into the RTA and into the system and tax them again. It did not make any sense.

Council Member Romero said that in terms of staff, Jim Glock, Director of Transportation, did a wonderful job and had made sure all of the Council's questions were answered. She thanked Mr. Glock and told him the issue was not about his work. It

was about what the community held dear. She stated she would vote against the fare increase.

Vice Mayor Trasoff thanked Council Member Uhlich and her staff for their work. When the Mayor and Council was looking at a shortfall, she thought about it differently. She agreed that the Mayor and Council had to be fiscally responsible and she thought they all agreed. When looking at a four million dollar shortfall, she had creative ideas of how the Mayor and Council would take care of it. There were things she was going to suggest that would protect the working poor that were somehow being ignored in the rate schedule. The Mayor and Council were looking for alternatives. Backing out of money from the General Fund would be offensive, in principle, as well as in the impact it would have on the community. The Mayor and Council had a responsibility to help and protect the community. Going beyond that, in reference to the discussion on sustainability during that afternoon's Study Session with the need to impact the City's carbon footprint, encouraging people to get on buses was a powerful way to do that.

Vice Mayor Trasoff said that she disagreed with Council Member Leal regarding TICET. She thought it provided a real service if the City was looking at sustainability at not that much money. It was getting people to park their cars and not having to build more parking lots than the City had to. The TICET circulated through downtown and had a positive impact. Other than that she was in agreement. She thought there was a harsh reality the City had to deal with. If the City kept the money where the Mayor and Council thought it should be, and maintain the current subsidy level and not cut it, that would mean there would be a shortfall in another area. There would still be a gap. Council Member Uhlich referenced that when the City dealt with the gap and that other ox got gored, the City would need public support because it would be a balancing act. Vice Mayor Trasoff was also concerned about taxing the public with the RTA and she strongly supported it and it was an intelligent decision on behalf of the community.

Vice Mayor Trasoff said that Council Member Scott's constituents were paying the one half cent tax out at Ward 4. The people out in Rita Ranch and Houghton Road know that the buses stop at Harrison. She thought it was not fair because those citizens were also paying the one half cent tax. Maintaining current service was an absolute but would go one step farther and say the City needed to expand service further. She did not know if it meant working with the RTA to see how to get monies sooner than was planned. Having a commuter bus or express bus three times in the morning and three times in the afternoon would help. What concerned her even more than the lack of service in Ward 4 and the need to expand in other areas where there was heavy ridership was referenced by some of the Sun Tran drivers who spoke earlier about having to leave riders at the bus stops because the bus was full.

Vice Mayor Trasoff said there are people wanting to ride the bus and they were working people. The City needed to find a way for people to get to the bus stop and board the bus without having to wait for the next bus. A greater concern was where Sun Tran went so did Van Tran and where Sun Tran did not go neither did Van Tran. Every handicapped citizen who needed Van Tran that lived east of Harrison would not have that

service available. Van Tran only worked within a certain radius of Sun Tran stops. The City had challenges and the City did not need to maintain Sun Tran, they needed to expand service. She did not know how that would be done with the budget the City had. Vice Mayor Trasoff came to the meeting not sure and she listened and believed the case had been made of the monies taken from the General Fund when Sun Tran was a service and the City had a responsibility to support it. She would be voting in favor of the motion.

Council Member Scott thanked Vice Mayor Trasoff for referencing the Ward 4 constituents that were paying for but not receiving any service. These constituents generated revenue that went into the General Fund which then went off to distribute to other things. She had been campaigning since she had come into office in 1995 for some relief for the constituents she represented to have at least one bus. She would continue to support that notion for Ward 4 constituents. The City needed to balance the budget and the monies to make sure everyone was well served who wanted to be served. The people who lived in Ward 4 were every bit the same flavor as everyone else and they wanted the service they were not getting but paying for.

Council Member Scott said another problem the City had as Council Member Leal had pointed out, was accessibility of getting a bus pass. Besides not having a point of sale in many parts of the area in Ward 4, the access to the selling points was also quite a ways away from Ward 4 constituents. They could not take a bus to go buy a bus pass to get the bus to go to work. It would go on compounding itself. Council Member Scott asked religious institutions to step forward, get bus passes and be distribution points within the Ward 4 area for some of the people who actually could not get to a bus or ride a bus to receive a pass. Council Member Scott appealed to the religious institutions so that social service providers were not the only ones giving passes out. She stated that it was an ongoing dilemma. There were no social services agencies within the one hundred square miles of Ward 4. Within this one hundred square miles there should have been at least one person who needed the service of Sun Tran or Van Tran and would have liked accessibility to social services and some of those things they distribute made more readily available to them. Council Member Scott said she would support Council Member Uhlich's motion but again put out a plea to religious institutions to step forward and help the City because the City could not do it.

Council Member Scott was told that one million dollars would allow eleven police officers to be hired by the City. Four million dollars would quadruple that number. While the City was balancing their budget and putting that amount of money back into Sun Tran at the same time the City was looking at police officers and those kind of public safety personnel who put their lives on the line every day. They were taking bullets for us and the City still did not have the money to do for them what the community demanded and wanted.

Mayor Walkup said he was voting no on the motion. He told of the things he had discovered during the evening. He addressed the Sun Trans employees saying they did a good job representing themselves. The Council appreciated hearing from the constituents

about the quality of the bus service they had received and about the friendly drivers that get them home on time and the effort the Sun Tran drivers put in everyday. He congratulated the Sun Tran drivers for a job well done. The Mayor and Council heard the compassionate statements from the audience who talked about the importance of the bus service in the community. Mayor Walkup said Carolyn Campbell was instrumental in assisting the City in the creation of the RTA. It was a struggle on how much money should have been put in the RTA for transit. It was a considerable amount of money, which included the establishment of the modern streetcar in addition to expanded bus routes. There would be no changes to that. The RTA was committed to the expansion of the routes. A part of that was plugging, which meant adding additional buses into the express routes. It was the objective of the RTA and the Mayor and council to have the very best bus system anywhere. He thought the City was on the verge of achieving that.

Mayor Walkup would have liked to have seen a proposal that increased some of the shuttle costs because there was justification in doing that. He would not have touched the economy fare. He thought the forty-cent fare for the economy fare was a reasonable thing to do. Mayor Walkup stated he was around when the City had the last Sun Tran fare increases and could not remember the cost of fuel at that time. It was pure economics. He thought the City could justify a twenty-five cent fare increase over seven years to help, solely, based upon the cost of fuel. He stated he would be voting against Council Member Uhlich's motion.

Mayor Walkup was very pleased at what he had heard about the quality of the program in Tucson. He assured the City that he and the Council and the City staff would work to make sure Tucson would have the best the City could have. He was very hopeful for an expanded participation on the bus routes. Revenue had gone up six to twelve percent over the last several years.

Michael Letcher, Deputy City Manager, stated one of the things the City was trying to determine based on the actual amount of thirty-six million dollars for Fiscal Year 2007. The amount may have included some carry forward funds. He stated he would like those funds to be excluded in the motion because the funds would have been carried forward from the previous fiscal year. They were not for the City to spend in 2007. They would have carried forward from 2006.

Council Member Uhlich suggested things that as the Mayor and Council formed the task force, these issues should be sorted. She stressed to Mr. Letcher how hard the Council worked to get numbers that made sense. She would be receptive to more information. The Mayor and Council drew those numbers from where the Council was directed to, which was the Caffer Report and in the City budget report. If those numbers were not correct then the task force may want to make that the first order of business.

Mayor Walkup asked if there were any discussions. Hearing none he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Uhlich, Scott, and Leal; and
Vice Mayor Trasoff

Nay: Mayor Walkup

Absent: Council Member Glassman

The motion to direct staff to keep the current rate structure in place, to sustain all current services and routes, sustain the Fiscal Year 2007 General Fund level of thirty-six million dollars in investment instead of reducing the allocation to thirty-four million five hundred thousand in Fiscal Year 2008 and thirty-three million dollars in Fiscal Year 2009. It was further moved that the Transportation Department work with the Mayor and Council to form a task force to look at the system over the next six months to see how the system and ridership levels were doing was declared passed and adopted by a roll call vote of 5 to 1.

9. PUBLIC HEARING: ADOPTION OF THE *MIRAMONTE NEIGHBORHOOD PLAN*

Mayor Walkup announced City Manager's communication number 315, dated June 17, 2008, was received into and made a part of the record. This is the time and place legally advertised for a public hearing on the proposed adoption of the *Miramonte Neighborhood Plan*. This public hearing is scheduled to last for no more than one hour.

Ruth Beeker, Miramonte Neighborhood Association (MNA) Board President and member of the Miramonte Plan Steering Committee said the neighborhood was honored to have been selected as one of two neighborhoods to pilot a new neighborhood plan initiative. They were privileged to have had the opportunity to attend special functions provided by the Drachman Institute. Miramonte Neighborhood was blessed to be guided by the steady, competent hand of Rebecca Ruopp, Principal Planner, Department of Urban Planning and Design. She was tireless, patient, and knowledgeable. In the professionally prepared *Miramonte Neighborhood Plan (MNP)* document each word was not simply written, each word was crafted. Each photograph was not simply included, but was scrutinized for relevancy. Being part of a pilot program allowed MNA to reap a ton of benefits.

Ms. Beeker said the *MNP* had a significant impact on the Miramonte Neighborhood. It gave her an up front seat to a City policy that she found curious. When MNA began the process, Ms. Beeker did not understand the relationship between the City and the MNA in writing neighborhood plans. After struggling with it for two years, she figured it out. The reporter who wrote an article in the *Tucson Citizen* newspaper on June 14, 2008, announcing the *MNP* said, "The neighborhood plan was put together by the neighborhood with the help of the Drachman Institute." Ms. Beeker stated that the article

was wrong that was not how neighborhood plans were done. The neighborhood plan was a City of Tucson document, written by the Miramonte Neighborhood under the direction of the City of Tucson Department of Urban Planning and Design by a volunteer steering committee charged with that one task. It was not written by the MNA. However, after the *MNP* was adopted, who would implement it if not the association. The plans were written by the City. Once the plans were written, they had no executive body to implement them unless the MNA chose to make them their own.

Ms. Beeker saw the *MNP* as addressing three major topics: land use, infrastructure, and community building. The problem created by this discrepancy of who wrote the *MNP* and who implemented the *MNP* became evident when addressing the land use policy for the neighborhood. Any recommendations, procedures, or policies, which the MNA Board may wish to use in processing land use request could not be included in the *MNP*, they must go into the Association's bylaws. The MNA would do that. Unfortunately, that meant pertinent information about land use would be scattered between two documents. If applicants for land use projects in the Miramonte Neighborhood wanted to prepare themselves well to initiate a project in the neighborhood, they would have to access two documents. First they would have to find applicable sections in the *Miramonte Neighborhood Plan*. It would not be too bad because it was a good plan with good pictures. They would also have to go to the bylaws, which were dull and uninteresting. She thought it was a cumbersome, ineffective means of communication with those people they really wanted to effectively communicate with such as the City, builders/developers, and the neighborhood.

Ms. Beeker said those who had seen her address the Mayor and Council knew she had an obsession with the *Land Use Code*. She wanted everyone to have clarity and transparency and to be efficient in the ability to communicate. She would be bringing the *MNP* to the Environment, Planning & Resource Management (EPRM) meeting the next week to take what they had learned from the pilot program and learn from it not only in terms of all the wonderful things one would hear other people about. It had been an enormously beneficial process. Ms. Beeker asked if there was some way to fine tune the process so that they would end up with something that was a coherent document in terms of the *Land Use Code* problems that she saw in their ability to communicate completely. In the meantime she urged the Mayor and Council to approve the *Miramonte Neighborhood Plan* because as a neighborhood they were very proud.

Randi Dorman, developer of Indigo Modern, said there were twenty-two modern and green homes in the Miramonte neighborhood. They had recently completed the first half of those twenty-two homes. Working with the Miramonte Neighborhood was a great pleasure. They were a very smart, thoughtful, and thorough neighborhood. The *MNP* was a wonderful plan. What it did was preserve the character of the neighborhood as well as actively enhancing what the neighborhood would become. It would attract good development and hopefully steer away bad development. Indigo Modern looked forward to continuing to work with the neighborhood and applauded their effort with the *MNP* and wanted the Mayor and Council to understand the developers were supportive of this.

Kelsi Montgomery, Miramonte Neighborhood Association Vice President and member of the Miramonte Plan Steering Committee wanted to thank the Drachman Institute, Department of Urban Planning and Design, and specifically Rebecca Ruopp and Laura Burge from Vice Mayor Trasoff's office.

Ms. Montgomery said the process was valuable along with the document that came out of it. It was good to see people from around the neighborhood, business people, apartment residents, and homeowners as the largest representation all got involved. All parts of the neighborhood were able to come to a consensus on a document that went beyond the older plans that specifically addressed individual land uses and a rezoning that would have been addressed only in a plan amendment. They were able to go beyond the older plans and into the community realm of the streets, right-of-ways, people, and transitions with the ideals and strategies from the *MNP*. She wanted to illustrate the ways the MNA had put the goals and strategies drawn from their values and history they found out through the planning process to use. As soon as they listed those goals, strategies, and values of the neighborhood, Quebedeaux Pontiac came up with a rezoning and plan amendment and the MNA brought out their list of plans and goals. They were able to come up with a document derived through consensus and said that those were the goals and that was what they were going to talk to them about. They also did the same thing when Walgreens had a variance request about a landscape buffer yard as well as with a residential cluster project special exception request in the Miramonte Neighborhood. Beyond the land use issues that came up, which were typical for those plans, they did it again through community development strategies that they had.

Ms. Montgomery said they created an apartment project with one of Miramonte's neighbors. They had a panel come and speak regarding neighborhood watches at the Miramonte Neighborhood annual meeting because that was something the neighborhood wanted to know about. Her street started a neighborhood watch after the annual meeting and another street was in the process of starting one up. A business owner in the Rancho Center has had his first meeting of a business watch along Speedway Boulevard. All of those things had come out of ideas created in the *MNP*.

Ms. Montgomery said they had started infrastructure ideas. The MNA already had gotten into the infrastructure ideas in the *MNP* that could help tie and unite the neighborhood because they had two sections. They hoped to link them together with real concrete linkages. The MNA had already made requests to have continuous sidewalks along Third Street to help separate pedestrians and bicyclists because it was a major bike route through town to get to the University of Arizona. They had also created a traffic calming committee for Camino Miramonte and found out it was on the Safe Routes to School Traffic Calming Plan. They were able to bring the *MNP* into all of those things that were happening. All the things they thought about were in the *MNP* and they have already made a request for a master plan to be started because of all the things that were going on with Camino Miramonte. In closing, Ms. Montgomery said they were using the *MHP* and it was coming in handy. She hoped the *MNP* would be officially approved.

Marilyn Russell said when she first chose her house, it was inhabited by six college boys. The boys must have had six dogs and smoked marijuana because there was marijuana residue everywhere. Pinal Street was lovely and she thought they could bring the house up to the street but could not bring the street up to the house. Ms. Russell was happy with the choice and that was over thirty years ago.

Ms. Russell said the Miramonte Neighborhood was one half square mile area between Fifth Street and Speedway Boulevard and Country Club and Alvernon Way. The neighborhood was very diverse with three churches, a Benedictine Sanctuary, St. Mark's Presbyterian Church, the Salvation Army, a convent, and sex shops over on Speedway Boulevard. So there was a little bit of everything. If one was without a car, one could find just about any service one wanted such as grocery stores, dental offices, councilors, postal services, and banks. In the Miramonte Neighborhood, there were twenty two hundred households. Three hundred of them were single family homes, nineteen hundred were multiple living, and some were condominiums, but chiefly rentals. There were also one hundred businesses. If there was not a strong neighborhood association or a strong neighborhood plan they could tip over the edge. The neighborhood was predominately rentals with blue collar service workers who came and went and were not invested in the neighborhood as far as traffic, crime, drugs, and other problems that all of the metro neighborhoods faced. The MNA was proud of the *MNP*. It had given them the vision and goals that they needed to maintain their quality of life.

Dave Bilgray said he was asked to speak because he had coordinated something that was an unusual by-product of the planning process. His plan showed that when people got together in a focused kind of way, one could get spin offs in ways that were never anticipated. Ms. Russell had mentioned apartments and single family homes in the neighborhood. The apartment people rarely got involved in the neighborhood events but were certainly welcomed and received the newsletter. The apartment owners, tenants, and managers were welcomed to attend the meetings but the MNA never saw them.

Mr. Bilgray said in the course of discussing the *MNP* the usual complaints arose that one would expect from single family homeowners about the apartment people. There was always that kind of thing going on. The apartment people were not there to get involved or defend themselves. He understood that it was probably typical in organizations of this type.

Mr. Bilgray said he decided on his own to approach Ruth Beeker, MNA President, and get the MNA and apartment owners and managers together to talk and exchange ideas about how the apartment complexes were effectively run and how they worked as neighbors, and to get them involved with each other. Gradually, they would improve their part of the neighborhood area that was predominately apartments and as they made those improvements, it would become parallel with the improvements being made to the neighborhood as a whole.

The MNA approached them with great hesitation. They wondered what the apartment managers would think when the MNA walked in. They were not sure how they would be accepted. Once it was made clear they were not a homeowners association but a neighborhood association, the apartment management were very receptive and were interested in what the MNA was proposing. They had several meetings and are now moving into a phase where they were bringing apartment owners together for lunch meetings. Mr. Bilgray had recently spent some time trying to figure out a way to cut down on apartment owner participation because there were too many of them interested. It was hard to have a meaningful conversation with so many attending the meetings. It was a nice problem to have, but was a by-product of pulling all of the people together and getting them interested.

Mr. Bilgray said the tenants had not gotten involved and that was a key factor. The tenants were a large number of people and a big percentage of the neighborhood population. Setting up with them would have to come later. The first thing to do was to get the apartment managers and owners on board so everyone was pointed in the right direction and then they could carry through and get the tenants involved as well. They were only part way there and they had worked at it for a while. It was possible to build those kinds of linkages but it could happen when there was a room full of people who were focused on making improvements. Miramonte Neighborhood expected the connections that they had made to be very useful as the neighborhood evolved under the new *MNP*.

It was moved by Vice Mayor Trasoff, duly seconded, to close the public hearing.

The motion was passed to close the public hearing, by a voice vote of 6 to 0 (Council Member Glassman absent/excused).

Mayor Walkup asked the City Clerk to read Resolution 20984 by number and title only.

Resolution No. 20984 relating to planning and zoning; adopting the Miramonte Neighborhood Plan; and setting an effective date.

Mayor Walkup called on Vice Mayor Trasoff.

Vice Mayor Trasoff said she loved the Miramonte Neighborhood. It had been fun and hard work but the amount of time the Miramonte Neighborhood had put in had been astounding. What they had come up with, just a model in terms of infill, compatibility, infrastructure enhancement, and all of the elements the constituents talked about. Kelsi Montgomery hit it on the head with all of the things that had resulted from the *MNP*. There was clarity and consensus that had been built throughout the process, which was wonderful. It was a joy to behold. It did bleed over to the business watch in the Rancho Center and those were all that contributed to the neighborhood.

Vice Mayor Trasoff thought one of the things that impressed her most was the outreach to the apartment owners and managers. Their plan did not say to push the apartments aside or isolate them. Instead the *MNP* acknowledged their existence of that part of the neighborhood and made it into one neighborhood all working together. It was a joy to watch and the Mayor and Council would be addressing the *Land Use Code* issue that Ms. Beeker articulated so well. She looked forward to seeing the *MNP* implemented and being a model for other neighborhoods because the process was sound and the results could be seen of how people came together.

It was moved by Vice Mayor Trasoff, duly seconded, to pass and adopt Resolution 20984.

Council Member Uhlich thanked everyone from the Miramonte Neighborhood for being at the meeting. She wanted to mention Rebecca Ruopp from the planning staff and Albert Elias, Department of Urban Planning and Design Director, and his staff for their outstanding work. She thanked Rebecca for her good work and the work she was doing for Ward 3. She said Rebecca really stood out.

Council Member Romero said she had worked for Council Member Uhlich as a council aide and had also worked with Rebecca Ruopp, Mr. Elias and his department with the Oracle Project. She saw the commitment, intelligence, and experience they brought to neighborhood projects. The Miramonte Neighborhood was a wonderful neighborhood and thanked them for their hard work. It was amazing how much volunteer work they did for their neighborhood. The Mayor and Council appreciated MNA making the City a much better City to live in. Mayor and Council appreciated MNA as much as their own staffs' because they too were diligent about improving the City. She was delighted to use their model for Ward 1, too.

Council Member Leal said to watch the neighborhood and listen to their comments was like watching a seven-year-old at Christmas pulling a bike out of a box. The MNA was so legitimately happy about the partnerships they developed and the quality of work they generated. He told the audience to stick with the cultivation of the partnerships with the apartments. In Ward 5, with the apartments on Twenty-ninth Street between Alvernon Way and Craycroft Boulevard, the neighborhood worked over the last three years to make a plan and it was not an easy one but it had borne fruit. They had reduced the crime rate by fifty percent more than the crime rate reductions in the entire City. Amazing things could be done and they were on the right track.

Vice Mayor Trasoff also thanked City staff for their help. The effort was beyond the routine of, "This was my job and I would do my job." There was true passion and commitment to making neighborhoods stronger and to get the best results. She singled out Laura Burge of the Ward 6 staff. Laura would come back to the office with periodic reports and updates of all the things the Miramonte Neighborhood was doing. She thanked Laura for her energy above and beyond and becoming part of the Miramonte Neighborhood team.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Uhlich, Scott, and Leal;
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent: Council Member Glassman

Resolution 20984 was declared passed and adopted by a roll call vote of 6 to 0.

10. PUBLIC HEARING: ZONING (C9-03-12) DIBRO DEVELOPMENT - THORNYDALE ROAD, O-3, MU AND I-2 TO C-1 AND C-2, TIME EXTENSION AND CHANGE OF CONDITIONS (CONTINUED FROM THE MEETING OF APRIL 22, 2008)

Roger W. Randolph, City Clerk, said the public hearing was left opened and continued from the meeting of April 22, 2008.

Mayor Walkup announced City Manager's communication number 318, dated June 17, 2008, was received into and made a part of the record. He also announced this was the time and place legally advertised for a public hearing on a request to allow a five-year time extension, and change of conditions for property located on the east side of Thornydale Road, South of Orange Grove Road.

Mayor Walkup said that the City staff recommended approval subject to certain conditions and asked if the applicant or representative was present and asked if they were agreeable to the proposed requirements.

George Larson, Larson/Baker, on behalf of the property owners, Marana Marketplace, LLC, stated they were agreeable to the proposed requirements.

Mayor Walkup announced that the public hearing was scheduled to last for no more than one hour and speakers were limited to five-minute presentation. He asked if there were any speaker cards.

William Govert said he lived next to the property being rezoned and had no problem with the rezoning. He liked the rezoning and wanted the property paved. He had attended the meeting on April 22, 2008, and wanted to comment on the great job Council Member Romero, her staff, and especially Diana Rhoades did. They had a meeting with Mr. Larson's people and it was his understanding that some money would be set aside for the drainage problem the residents had. He wanted to compliment

Council Member Romero for showing her side, as another homeowner, and that the Mayor and Council was easy to speak with.

Mayor Walkup asked Mr. Govert to repeat his last statement.

Mr. Govert said it was nice to be able to talk to the Mayor and Council and get stuff done, especially Council Member Romero.

Mayor Walkup asked if there were any other speakers wanting to address the Mayor and Council. There were none.

It was moved by Vice Mayor Trasoff, duly seconded, to close the public hearing.

The motion was passed to close the public hearing, by a voice vote of 6 to 0 (Council Member Glassman absent/excused).

Council Member Romero asked Mr. Larson to come to the podium. She wanted to compliment him on work well done. She said Ward 1 had started up the process and it was new to her, being newly elected as the Ward 1 Council Member, and she had asked Mr. Larson to wait so that Ward 1 could find out what was going on. She stated that Mr. Larson said it was not a problem and that he understood that time was needed to review the issue. Council Member Romero asked Mr. Larson to include some aspects to the resolution before them and said she would like to add rainwater harvesting, and some native trees into the project.

Council Member Romero asked Mr. Larson to meet with the property owners located east of the property to mitigate the drainage problems they had experienced. It had been a very good conversation. She wanted to give Mr. Larson an opportunity, if he wanted, to include something into the conversation and thanked him again for meeting with the Ward 1 office and the neighbors east of the property. She also thanked him for including in the proposal that he would meet with the neighbors at 3633 W. Apricot Drive and determine and authorize permitting requirements to fix the drainage problems that were on site.

George Larson, Larson/Baker, on behalf of the property owners, Marana Marketplace, LLC, said he wanted to paraphrase Mayor Walkup by saying, "Could you say that again!" It was a pleasure to work with the Ward 1 neighborhood to solve a problem. The problem was not too hard to solve and Ward 1 had been very nice neighbors. Larson/Baker was happy to do its part to solve the problem until they got a new development. One thing Council Member Romero asked was if that was what they were going to develop on the property. He answered it was not and if the Mayor and Council looked at the 2003 request for rezoning, it was done by another landowner and was not what was planned to build there. Larson/Baker did not know yet what was to be developed because they had a larger piece of property that had to be dealt with first. That was why they were asking for a temporary continuance.

Council Member Romero said they had talked about the five-year continuance and also talked about it being only a two-year continuance. Mr. Larson had agreed with that.

Mr. Larson said they should be ready to have something to show the Mayor and Council with which the Mayor and Council would have another public hearing and another chance to see what they would propose. It would be called a change in development plan within two years.

Council Member Romero asked if this could be included in the Plan.

Council Member Romero thanked Diana Rhoades, Ward 1 Council Aide, for being instrumental in helping to put Mr. Larson and herself together. She thanked Mr. Larson again for being a good neighbor and for having a positive conversation and working so hard. Ms. Rhoades and Mr. Larson made sure the neighborhood issues were being looked at.

It was moved by Council Member Romero, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Glassman absent/excused) to approve the request as presented with an amendment specifically that the extension was being granted for two years.

11. TUCSON CODE: ADOPTION OF THE ANNUAL COMPENSATION PLAN FOR EMPLOYEES OF THE CITY OF TUCSON

Mayor Walkup announced City Manager's communication number 320, dated June 17, 2008, was received into and made a part of the record.

Mayor Walkup asked the City Clerk to read Ordinance 10550 by number and title only.

Ordinance No. 10550 relating to compensation plan; Tucson Code Chapter 10, Civil Service-Human Resources, Article II, Compensation Plan, Section 10-31, Adopting salary schedules for Fiscal Year 2009; implementing Section 10-31; Ratifying, reaffirming and reenacting Sections 10-31(7), Providing percentages for calculation of compensation from salary schedules for employees in specified assignment positions; Section 10-33.1, Proficiency pay for commissioned police personnel certified as bilingual users of American Sign Language (ASL) or Spanish; Section 10-34, Incentive pay for fire prevention inspectors; Section 10-34.1, Assignment and incentive pay for maintaining paramedic certification and working as paramedics; Section 10-35, Fire battalion chief call back shift pay; Section 10-48, Supplement to military pay; Section 10-49, Holiday and BOI pay for commissioned officers of the Tucson Police Department of the position of lieutenant and assignment positions of captain and assistant chief; Section 10-52, Longevity compensation plan; Section 10-53, Pipeline protection program; compensation; Section 10-53.1, Permanent and probationary city civil service employees and elected officials and appointed employees downtown allowance; Section 10-53.2,

Maintenance management program, assignment and incentive pay compensation; Section 10-53.3, Career enhancement program (CEP) incentive pay for commissioned police personnel through rank of captain; Section 10-53.4, Additional compensation for certain public safety command staff; and Section 10-53.5, Honor guard assignment pay for fire commissioned personnel; amending Section 10-33, Language communication compensation; Section 10-37(2), Reallocation of positions compensated under performance based components of the compensation plan; Section 10-39, Increases for exceptionally meritorious service; all as part of implementation of the annual compensation plan for Fiscal Year 2009; and declaring an emergency.

It was moved by Council Member Uhlich, duly seconded, to pass and adopt Ordinance 10550.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, and Uhlich; Vice Mayor Trasoff and Mayor Walkup

Nay: Council Member Scott and Leal

Absent: Council Member Glassman

Ordinance 10550 was declared passed and adopted by a roll call vote of 4 to 2.

12. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 307, dated June 17, 2008, was received into and made a part of the record.

Mayor Walkup asked if there were any personal appointments. There were none.

13. ADJOURNMENT: 8:25 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on Wednesday, June 25, 2008, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 17th day of June 2008, and do hereby do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:kad:tl